

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
MONADNOCK CONSTRUCTION, INC.,

Plaintiff,

-against-

WESTCHESTER FIRE INSURANCE  
COMPANY,

Defendant.

-----X

WESTCHESTER FIRE INSURANCE  
COMPANY,

Third-Party Plaintiff,

-against-

GLASSWALL, LLC, UGO COLOMBO, and  
SARA JAYNE KENNEDY COLOMBO,

Third-Party Defendants.

-----X

Case No.: 16 CIV. 00420 (JBW)  
ECF Case

**NOTICE OF RETURNS  
OF SERVICE OF THIRD  
PARTY SUMMONS AND  
COMPLAINT UPON  
UGO COLOMBO**

**PLEASE TAKE NOTICE** that appended hereto are Returns of Service Affidavits showing service of the Third Party Summons and Third Party Complaint of Westchester Fire Insurance Company upon Third-Party Defendant Ugo Colombo pursuant to Federal Rule of Civil Procedure 4(e)(1) and Rules 308 and 313 of the New York Civil Practice Law and Rules. Pursuant to Rule 308, service is complete ten days after the filing hereof.

Dated: New York, New York  
September 29, 2017

COZEN O'CONNOR

By: /s/ John J. Sullivan  
John J. Sullivan  
45 Broadway Atrium, Suite 1600

New York, NY 10006  
P: 212-453-3729  
F: 646-461-2073  
JSullivan@cozen.com

Robert McL. Boote\*  
\**Admitted Pro Hac Vice*  
Suite 400, 200 Four Falls Corporate Center  
P.O. Box 800  
West Conshohocken, PA 19428  
P: 215-665-4630  
F: 215-701-2424  
RBoote@cozen.com

*Attorneys for Defendant*  
*Westchester Fire Insurance Company*

**AFFIDAVIT OF SERVICE**

**UNITED STATES DISTRICT COURT  
District of Eastern NY**

Case Number: 1:16-CV-00420-JBW-VMS

Plaintiff:

**MONADNOCK CONSTRUCTION, INC.,**

vs.

Defendant:

**WESTCHESTER FIRE INSURANCE COMPANY,**

For:

John J Sullivan  
Cozen O'Connor  
45 Broadway Atrium  
Suite 1600  
New York, NY 10006

Received by DLE Process Servers, Inc on the 20th day of September, 2017 at 1:32 pm to be served on **Ugo Colombo, 1550 Biscayne Blvd, Suite 300, Miami, FL 33132.**

I, Roy De La Espriella, being duly sworn, depose and say that on the **26th day of September, 2017 at 4:20 pm, I:**

**SUBSTITUTE** served by delivering a true copy of the **Third-Party Summons, Third-Party Complaint, and Exhibits.** with the date and hour of service endorsed thereon by me, to: **Laura Doe as Personal Assistant**, a person employed therein and authorized to accept service for **Ugo Colombo** at the address of: **1550 Biscayne Blvd, Suite 300, Miami, FL 33132**, the within named person's usual place of **Work**, in compliance with State Statutes.

**Additional Information pertaining to this Service:**

At the time of service, Front desk Lilly Escobar called Mr. Colombo's personal assistant. A woman who identified herself as Laura came out. Content of the paperwork was explained and she stated Mr. Colombo is not in and that he is the only one authorized to accept service. Server explained that according to Federal rules of civil procedure, since this is Mr. Colombo's place of employment, summons was being left at the premises. Recipient refused to provide her last name.

On 9/26/2017, a copy of the summons and third party complaint was mailed to Ugo Colombo by First Class Mail to 1550 Biscayne Blvd., Suite 300, Miami, FL in a plain envelope which was marked **PERSONAL AND CONFIDENTIAL** and it did not indicate that the communication was from an attorney or concerned a legal action

I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was served.

Under penalties of perjury, I declare that I have read the foregoing Verified Return of Service and that the facts stated are true. F.S. 92.525. NOTARY NOT REQUIRED PURSUANT TO F.S. 92.525



**Roy De La Espriella**  
Process Server #1608

**DLE Process Servers, Inc**  
**936 Sw 1st Avenue**  
**#261**  
**Miami, FL 33130**  
**(786) 220-9705**

Our Job Serial Number: DLE-2017028030

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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Plaintiff,

-against-

WESTCHESTER FIRE INSURANCE  
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WESTCHESTER FIRE INSURANCE  
COMPANY,

Third-Party Plaintiff,

-against-

GLASSWALL, LLC, UGO COLOMBO, and  
SARA JAYNE KENNEDY COLOMBO

Third-Party Defendants.  
-----X

TO: Glasswall, LLC  
1550 Biscayne Blvd, Suite 300  
Miami, Florida 33132

Ugo Colombo  
5020 North Bay Road  
Miami, Florida 33140

Sara Jayne Kennedy Colombo  
5020 North Bay Road  
Miami, Florida 33140

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the defendant and third-party plaintiff an answer to the attached complaint or a motion under Rule

Case No.: 16 CIV. 00420 (JBW)  
ECF Case

**THIRD-PARTY SUMMONS**

*Laura  
RJ/600  
4:20pm  
9/26/17*

*1550 Biscayne Blvd  
#300  
33132*

*Lily Escobedo*

12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the third-party plaintiff or its attorney, whose name and address are:

John J. Sullivan  
45 Broadway Atrium, Suite 1600  
New York, NY 10006  
P: 212-453-3729  
F: 646-461-2073  
JSullivan@cozen.com

Robert McL. Boote\*  
\*Admitted Pro Hac Vice  
Suite 400, 200 Four Falls Corporate Center  
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West Conshohocken, PA 19428  
P: 215-665-4630  
F: 215-701-2424  
RBoote@cozen.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Dated: 9/20/2017

DOUGLAS C. PALMER  
CLERK OF COURT



/s/ G. Barrett  
Signature of Clerk or Deputy Clerk